

**STATEMENT OF P. DANIEL SMITH, SPECIAL ASSISTANT TO THE DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, RECREATION AND PUBLIC LANDS, HOUSE COMMITTEE ON RESOURCES, CONCERNING H.R. 3917, TO AUTHORIZE A NATIONAL MEMORIAL TO COMMEMORATE THE PASSENGERS AND CREW OF FLIGHT 93 WHO, ON SEPTEMBER 11, 2001, COURAGEOUSLY GAVE THEIR LIVES THEREBY THWARTING A PLANNED ATTACK ON OUR NATION'S CAPITAL, AND FOR OTHER PURPOSES.**

**July 9, 2002**

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Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on H.R. 3917, a bill to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes. The Department supports the enactment of this bill with minor amendments discussed at the end of our testimony.

H.R. 3917 would do several things. It would establish a national memorial at the crash site to honor the passengers and crew of United Airlines Flight 93 of September 11, 2001; it would establish a Flight 93 Advisory Commission to assist with consideration and formulation of plans for a permanent memorial to the passengers and crew of Flight 93, including its nature, design and construction; and it would authorize the Secretary of the Interior to coordinate and facilitate the activities of the Flight 93 Advisory Commission, provide technical and financial assistance to a Flight 93 Task Force, and to administer a Flight 93 memorial as a unit of the National Park System.

On September 11, 2001, terrorists hijacked four United States passenger aircraft with the intent to kill American citizens and to use the planes as weapons to destroy important structures critical to this country. The targets were in New York City and Washington, D.C. Three out of four planes hit their mark – destroying the Twin Towers of the World Trade Center, destroying a significant portion of the Pentagon, causing the deaths of almost 3,000 people, and affecting millions of people worldwide.

But one hijacked plane did not succeed in its mission. Passengers and crew on the fourth plane, United Airlines Flight 93, learned of these disasters in mid-air, and took heroic action by thwarting a planned attack on our Nation's Capital, which resulted in the crash of the plane into a field in Shanksville, Pennsylvania, within the rural, remote and previously peaceful Stonycreek Township. The passengers and crew of Flight 93 are remembered and honored as having given their lives to save others. They have inspired other airline passengers and crews to be significantly more vigilant and proactive in dealing with hijackers and have directly influenced new airline security systems. Flight 93 will be understood to be nationally significant because on Flight 93, America began to fight back.

The way people traditionally mourn victims of catastrophic events by visiting the site of the occurrence reflects an instinctive public choice of the appropriate location for a memorial. In the months that followed the September 11<sup>th</sup> attacks, thousands of people have visited the Flight 93 site, drawn by the heroic action and sacrifice of the Flight 93 passengers and crew. Many are profoundly concerned about the future disposition of the crash site, including grieving families of the passengers and crew, the people of the region who are the current stewards of the site, and a broad spectrum of citizens across the United States. Many of these people are forming a Flight 93 Task Force as a broad, grassroots, inclusive organization to provide a voice for all interested and concerned parties.

The Stonycreek Township and Shanksville have no resources to enable them to protect the site from inappropriate relic seekers, or to serve the visiting public. Congress provided emergency appropriations to secure the site, but for a short time only. Establishing a permanent memorial would serve as a meaningful way to honor those who sacrificed their lives on September 11<sup>th</sup> and would provide an appropriately respectful setting for family members and other visitors. As we testified earlier this year on another memorial bill, in the case of enormous national tragedies, we have found that commemoration seems most appropriate at the site of the tragedy itself. The Oklahoma City National Memorial would not have nearly the power it has if it had been constructed anywhere else but at the site of the Murrah Building. The

memorial landscapes of Gettysburg and Antietam National Battlefields still haunt visitors who contemplate what occurred there nearly 150 years ago. Indeed, people from all over the world continue to be drawn to these hallowed grounds to reflect on the historical events that took place at these sites or to pay their respects to those who lost their lives there.

Like so many families in America, we continue to mourn the loss of a member of our Interior family. Richard Guadagno, 17-year employee of the U.S. Fish and Wildlife Service and manager of the Humboldt Bay National Wildlife Refuge in California, was among the heroic passengers on Flight 93. The Department offers our deepest sympathy to all those who lost a friend or family member because of the attacks on September 11<sup>th</sup>. We understand that the road to healing will be long, but we believe that through the strength and unity of this country, the spirit of America lives on.

Public Law 105-391, the National Parks Omnibus Management Act of 1998, requires congressional authorization of areas to be studied for potential new units of the National Park System. The law also designates the criteria to be followed by the National Park Service in determining whether to recommend an area as a unit of the National Park System. The National Park Service has had the opportunity to conduct a reconnaissance and analysis of the site of the crash of Flight 93. Numerous National Park Service professional staff have visited the Flight 93 site over the past ten months to understand the site and its changes over time, to meet with local people including landowners, the local historical society, volunteers, the Mayor of Shanksville, County Commissioners, rescue workers, and others, to provide advice and technical assistance in the areas of site security and in the preservation and curation of artifacts left by visitors at the site, and to facilitate public meetings regarding the future of the site. We also brought to the site people directly involved with the creation of the Oklahoma City National Memorial to provide assistance to the local people and officials. Although this would not be considered a standard special resource study as required under the public law, these visits and meetings have provided information on the site's significance, ability of local and regional governments in managing the site on a long-term basis as a

memorial site, and providing services to a large number of visitors on a long-term basis.

H.R. 3917 also departs from the normal process for creation of a unit of the National Park System because places that may be deemed historical in nature are typically not designated until the passage of a sufficient interval of time to allow for historical judgment. Yet, the events of September 11<sup>th</sup> are so clearly important to contemporary America that some kind of national recognition is appropriate now. In addition, there is a crucial need for National Park Service technical assistance to be available to consult on the immediate needs of collections, storage, oral history, and archives. We learned from our role at the Vietnam Veteran's Memorial there is a great need to permit the public to place mementos and express feelings. The Somerset County Historical Society has begun an archive and collection of such materials; the National Park Service should be available to provide whatever consultation or assistance is desired. During consideration of the appropriate treatment of the site, the families, the community, the public and the commission will likely need staff support for the public process and for design and planning.

This legislation recognizes the need for a special process to determine how best to treat the site, whether as a preserved landscape, a designed memorial structure, or some other appropriate treatment. Most importantly, the legislation, with special sensitivity and insight, provides time for listening and time to allow a consensus to develop, with an appropriate role for the family members of the flight and crew, for the public, the community, and the Secretary of the Interior.

While generally we have requested no new additions to the National Park System while we continue to focus our resources on caring for existing areas in the National Park System, there is little doubt that the events of September 11<sup>th</sup> were nationally significant and have had international implications. It is appropriate that the crash site of Flight 93 be designated as a national memorial, as a unit of the National Park System, that it be done contemporaneously, and that the National Park Service participate in a sensitive process with the public and the affected parties to recommend the appropriate treatment of the site. One

family member of a passenger of Flight 93, at a press conference announcing the introduction of this legislation expressed a desire that the memorial be "a place of beauty." The National Park Service would like to support the families, the public, and the community while they develop their vision to achieve this goal.

The legislation suggests the commission will have the authority to raise funds. We believe many Americans will want to have an active part in the fundraising process, and therefore, recommend that the authorization for fundraising be explicit in the legislation. We look forward to working with the committee on this amendment and a couple of technical amendments needed to the bill.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.